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**COMBINED DECLARATION AND POWER OF ATTORNEY**

**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION, OR C-I-P)**

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As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is for an original application.

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

GARDEN NOVELTY WITH UPRIGHT WING SUPPORTS

**SPECIFICATION IDENTIFICATION**

The specification is attached hereto.

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and in compliance with this duty, there is attached an information disclosure statement, in accordance with 37 C.F.R. Section 1.98.

## POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

APPOINTED PRACTITIONER(S)	REGISTRATION NUMBER(S)
Donald M. Cislo	22,060
Daniel M. Cislo	21,973
Charles H. Thomas	25,710
Andrew S. Jordan	33,917
Robert J. Lauson	41,930
Kelly W. Cunningham	43,570
Sarah A. Brown	47,455
Andrew Chen	48,508
Thomas A. Dougherty	51,214

I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

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SEND CORRESPONDENCE TO

DIRECT TELEPHONE CALLS TO:

Donald M. Cislo  
1-310-451-0647

Donald M. Cislo  
233 Wilshire Boulevard, Suite 900  
Santa Monica, CA 90401-1211  
USA

Customer Number 25189

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# DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## SIGNATURE(S)

Margaret Weiser

Inventor's signature

Date

Residence

Post Office Address

Tarzana, CA



Country of Citizenship USA

4760 Corbin Avenue, Tarzana, CA 91356

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re the application of:

**WEISER, Margaret**

Serial Number:      Filed Herewith      Examiner:      Not yet known

Filed:                  Filed Herewith      Art Unit:      Not yet known

For:                    **GARDEN NOVELTY WITH UPRIGHT WING SUPPORTS**

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Mail Stop PATENT APPLICATION

Commissioner for Patents

Post Office Box 1450

Alexandria, Virginia 22313-1450

**ASSERTION OF SMALL ENTITY STATUS**

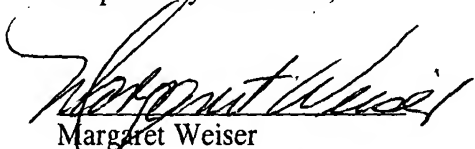
Dear Sir or Madam:

I, the above-identified inventor, hereby claim small entity status under 37 C.F.R. § 1.9 as an independent inventor. I have not assigned, granted, conveyed or licensed any rights to any person who could not be classified as an independent inventor under 37 C.F.R. 1.9(d).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Respectfully submitted,

Date: August 18, 2003

  
Margaret Weiser  
EXHART ENVIRONMENTAL  
SYSTEMS, INC.

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant: WEISER, Margaret

Docket No.: 03-12295

Application No.: Filed Herewith

Filing Date: Filed Herewith

For: **GARDEN NOVELTY WITH UPRIGHT WING SUPPORTS**

EXHART ENVIRONMENTAL SYSTEMS, INC., a California corporation, states that it is the assignee of the entire right, title, and interest in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor of the patent application identified above, for which a copy thereof is attached herein.

**OR**

B. ☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_, Frame \_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_, Frame \_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the parent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied here below) is empowered to sign this statement on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

8-21-03  
Date

Donald M. Cislo, Esq.  
Donald M. Cislo, Esq.  
Attorney and Representative for  
EXHART ENVIRONMENTAL SYSTEMS, INC.



25189

PATENT TRADEMARK OFFICE

# PATENT ASSIGNMENT

This assignment made on August 18, 2003 by MARGARET WEISER, (Assignor) residing at 4760 Corbin Avenue, Tarzana, California 91356 to EXHART ENVIRONMENTAL SYSTEMS, INC. (Assignee), having a place of business at 20700 Dearborn Street, Chatsworth, California 91311.

WHEREAS, Assignor has invented a new, original and useful invention entitled GARDEN NOVELTY WITH UPRIGHT WING SUPPORTS (Invention), for which a United States patent application will be filed, further identified by Cislo & Thomas' Docket No. 03-12295 (Patent Application);

WHEREAS, Assignor believes herself to be the original, first, and joint inventor of the Invention(s) disclosed and claimed in said Patent Application; and

WHEREAS, Assignee desires to acquire by formal, recordable assignment the entire right, title, and interest in and to said Invention(s), and said Patent Application in the United States and throughout the world.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby sells, assigns, and transfers to Assignee, her entire right, title, and interest in and to said Invention(s), and said Patent Application for said Invention(s) in the United States and throughout the world, including the right to file foreign applications directly in the name of Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties, or otherwise.

Further Assignor agrees that, upon request and without further compensation, but at no expense to Assignors, she and her legal representatives and assigns will do all

lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing, or enforcing said Patent Application in the United States and throughout the world for said Invention(s), and for perfecting, recording, or maintaining the title of Assignee, its successors and assigns, to said Invention(s), and said Patent Application filed, and any patents granted for said Invention(s) in the United States and throughout the world.

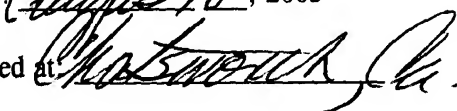
Assignor represents and warrants that they have not granted and will not grant to others any rights inconsistent with the rights granted herein.

Assignor authorizes and requests the Commissioner of Patents and Trademarks of the United States and of all foreign countries to issue any Patent granted for said Invention(s), whether on said Patent Application, or on any subsequently filed provisional, non-provisional, divisional, continuation, continuation-in-part, reissue, or other application, to Assignee, its successors and assigns, as the assignee of its entire interest in said Invention(s).

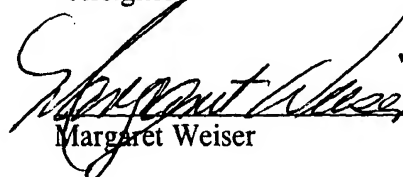
IN WITNESS WHEREOF, Assignor has executed this Assignment on the date first above written and as set forth below.

Date: August 18, 2003

Signed at



"Assignor"

  
Margaret Weiser

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re the application of:  
**WEISER, Margaret**

Serial Number:      Filed Herewith      Examiner:      Not Yet Assigned

Filed:                      Filed Herewith      Art Unit:      Not Yet Assigned

For:                      **GARDEN NOVELTY WITH UPRIGHT WING SUPPORTS**

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M/S: DESIGN PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR USE OF CUSTOMER NUMBER**

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Dear Sir or Madam:

Applicant's representative has the following customer number lodged with the Patent Office:

25,189

**\*25189\***

25189

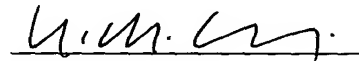
PATENT TRADEMARK OFFICE

The Office is respectfully requested to use this customer number (the bar code for which is above) for correspondence purposes as well as for online access via the PAIR system with respect to the present application.

Respectfully submitted,

CISLO & THOMAS LLP

Date: 8-21-, 2003

  
Donald M. Cislo  
Reg. No. 22,060



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

---

In re the application of: **WEISER, Margaret**

Serial Number:      Filed Herewith      Examiner:      Not yet known  
Filed:                  Filed Herewith      Art Unit:      Not yet known  
For:                    **GARDEN NOVELTY WITH UPRIGHT WING SUPPORTS**

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BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

**ASSERTION OF SMALL ENTITY STATUS**

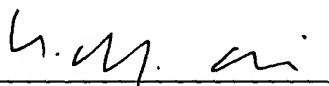
Dear Sir

Applicant(s) and/or Inventor(s), above, hereby claim small entity status under 37 C.F.R. § 1.9 as an independent inventor. It is not believed that any additional fees are due; however, in the event any additional fees are due, the Examiner is authorized to charge Applicant's attorney's Deposit Account No. 03-2030.

Respectfully submitted,

CISLO & THOMAS LLP

Date: 8-21-, 2003

  
\_\_\_\_\_  
Donald M. Cislo, Reg. No. 22,060

CISLO & THOMAS LLP  
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